

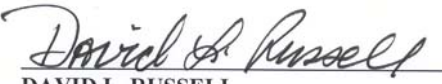
**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF OKLAHOMA**

<b>NICHOLAS VALDEZ,</b>	)	
	)	
<b>Plaintiff,</b>	)	
	)	
<b>v.</b>	)	<b>Case No. CIV-09-237-R</b>
	)	
<b>CORRECTIONS CORPORATION</b>	)	
<b>OF AMERICA, et al.,</b>	)	
	)	
<b>Defendants.</b>	)	

**ORDER**

Before the Court is the Report and Recommendation of United States Magistrate Judge Bana Roberts entered September 8, 2009 [Doc. NO. 55]. No objection to the Report and Recommendation has been filed nor has an extension of time to object been sought or granted. Therefore, the Report and Recommendation of the Magistrate Judge [Doc. No. 55] is ADOPTED in its entirety. Defendants Figueroa and Schimmel's motion for summary judgment [Doc. No. 25] is granted, Count One of Plaintiff's Complaint against Defendants West and Harmon is dismissed without prejudice, Counts Two and Three of Plaintiff's Complaint are dismissed without prejudice, Plaintiff's motion for summary judgment [Doc. No. 37] is denied and Plaintiff's Request for Documentation and Transcripts [Doc. No. 31], Plaintiff's motion for appointment of counsel [Doc. No. 43], Defendants' request for extension of time within which to file an answer and response in opposition to Plaintiff's motion for summary judgment [Doc. No. 51] and Plaintiff's petition for disclosures [Doc. No. 54] are denied as moot.

IT IS SO ORDERED this 30th day of September, 2009.

  
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DAVID L. RUSSELL  
UNITED STATES DISTRICT JUDGE